

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 BRIAN S. TURNER  
Deputy Attorney General  
4 State Bar No. 108991  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 445-0603  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **REGISTRAR OF CONTRACTORS**  
10 **CONTRACTORS' STATE LICENSE BOARD**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. N-2009-238

14 **C G G J, INC., DBA CERTIFIED FIRE**  
15 **RECONSTRUCTION**

16 **5360 South Watt Avenue**  
17 **Sacramento, CA 95826**

18 **GREGORY LEE ZUCCOLOTTO, RMO/CEO/PRES**  
19 **Disassociated 12/18/2009**

20 **CHRISTOPHER ARNOLD ACKER, Officer**  
21 **Contractor's License No. 835408, B**

22 **and**

23 **CERTIFIED RESTORATION SERVICES**

24 **4368 Central Avenue**  
25 **Riverside, CA 92506**

26 **GREGORY LEE ZUCCOLOTTO, SOLE OWNER**  
27 **Contractor's License No. 506238, B**

28 Respondents.

**JUGR, INC., dba CERTIFIED RESTORATION**  
29 **SERVICES**

30 **4368 Central Avenue**  
31 **Riverside, CA. 92506**

32 **GREGORY LEE ZUCCOLOTTO, RMO**  
33 **Contractor's License No. 723266, B**

Affiliated License.

1 Complainant alleges:

2 **PARTIES**

3 1. Wood Robinson ("Complainant") brings this Accusation solely in his official capacity  
4 as the Enforcement Supervisor I of the Contractors' State License Board, Department of  
5 Consumer Affairs.

6 **C G G J, Inc., dba Certified Fire Reconstruction**

7 2. On or about April 5, 2004, the Registrar of Contractors issued Contractor's License  
8 Number 835408 ("license"), classification B (general building contractor) to C G G J, Inc., dba  
9 Certified Restoration Services ("Respondent C G G J") with Gregory Lee Zuccolotto as the  
10 Responsible Managing Officer, Chief Executive Officer and President and Christopher Arnold  
11 Acker as Officer. On May 8, 2006, the business name changed to C G G J, Inc., dba Certified  
12 Fire Reconstruction. On October 12, 2007, the license was suspended pursuant to B & P Code  
13 section 7071.17 (Judgment No. RIC478865/323367). The license was reinstated on November 1,  
14 2007. On December 18, 2009, Gregory Lee Zuccolotto disassociated from the license. The  
15 license was in full force and effect at all times relevant to the charges brought herein and will  
16 expire on April 30, 2010, unless renewed.

17 **Certified Restoration Services**

18 3. On or about February 25, 1987, the Registrar of Contractors issued Contractor's  
19 License Number 506238 ("license"), classification B (general building contractor) to Gregory Lee  
20 Zuccolotto. On May 28, 1995, the license was suspended pursuant to Code of Civil Procedure  
21 section 996.340 (Contractor's Bond). The license was reinstated on June 1, 1995. On August 23,  
22 1995, the business name changed to Certified Restoration Services. On September 1, 1997, the  
23 license was renewed inactive. On October 12, 2007, the license was suspended pursuant to B & P  
24 Code section 7071.17 (Judgment No. RIC478865/323367). The license was reinstated on  
25 November 1, 2007. The license was in full force and effect at all times relevant to the charges  
26 brought herein and will expire on August 31, 2013, unless renewed.

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1           **JUGR, INC., dba Certified Restoration Services**

2           4.     On or about May 29, 1996, the Registrar of Contractors issued Contractor's License  
3     Number 723266 ("license"), classification B (general building contractor) to JUGR, Inc., with  
4     Gregory Lee Zuccolotto as the Responsible Managing Officer, Chief Executive Officer and  
5     President and Juliette Lanell Zuccolotto as Officer. On October 14, 1997, the business name  
6     changed to JUGR, Inc., dba Certified Restoration Services. On October 12, 2007, the license was  
7     suspended pursuant to B & P Code section 7071.17 (Judgment No. COS061486). The license  
8     was reinstated on November 1, 2007. On December 22, 2009, Juliette Lanell Zuccolotto was  
9     removed as Officer. The license was in full force and effect at all times relevant to the charges  
10    brought herein and will expire on May 31, 2010, unless renewed.

11                           **JURISDICTION**

12           5.     Section 7090 of the Business and Professions Code ("Code") provides, in pertinent  
13    part, that the Registrar may suspend or revoke any license or registration if the licensee or  
14    registrant is guilty of or commits any one or more of the acts or omissions constituting cause for  
15    disciplinary action.

16           6.     Code section 7095 provides, in pertinent part, that the Registrar in making his order  
17    may:

18           (a) Provide for the immediate complete suspension by the licensee of all operations as a  
19    contractor during the period fixed by the decision.

20           (b) Permit the licensee to complete any or all contracts shown by competent evidence taken  
21    at the hearing to be then uncompleted.

22           (c) Impose upon the licensee compliance with such specific conditions as may be just in  
23    connection with its operations as a contractor disclosed at the hearing, and may further provide  
24    that until such conditions are complied with, no application for restoration of the suspended or  
25    revoked license shall be accepted by the Registrar.

26           7.     Code section 7097 states:

27                   Notwithstanding the provisions of Sections 7121 and 7122, when any  
28                   license has been suspended by a decision of the registrar pursuant to an accusation or  
                    pursuant to subdivision (b) of Section 7071.17, Section 7085.6 or 7090.1, any

1 additional license issued under this chapter [the Contractors' State License Law] in  
2 the name of the licensee or for which the licensee furnished qualifying experience and  
appearance under the provisions of Section 7068, may be suspended by the registrar  
without further notice.

3 8. Code section 7098 states:

4 Notwithstanding the provisions of Sections 7121 and 7122, when any  
5 license has been revoked under the provisions of this chapter [the Contractors' State  
License Law], any additional license issued under this chapter in the name of the  
6 licensee or for which the licensee furnished qualifying experience and appearance  
under the provisions of Section 7068, may be revoked by the registrar without further  
7 notice.

8 9. Code section 7106.5 provides, in pertinent part, that the cancellation, expiration or  
9 suspension of a license by operation of law, or by order or decision of the Registrar, or a court of  
10 law, or the voluntary surrender of the license shall not deprive the Registrar of jurisdiction to  
11 proceed with disciplinary action. Under Code section 7141, a license may be renewed at any time  
12 within five years after its expiration.

13 10. Code section 7076.5 provides in pertinent part, that the inactive status of a license  
14 shall not bar any disciplinary action for violating provisions of the Contractors' State License  
15 Law (Business & Professions Code, § 7000, et seq.).

16 11. Code section 7121 provides:

17 Any person who has been denied a license for a reason other than failure  
18 to document sufficient satisfactory experience for a supplemental classification for an  
existing license, or who has had his or her license revoked, or whose license is under  
19 suspension, or who has failed to renew his or her license while it was under  
suspension, or who has been a member, officer, director, or associate of any  
20 partnership, corporation, firm, or association whose application for a license has been  
denied for a reason other than failure to document sufficient satisfactory experience  
21 for a supplemental classification for an existing license, or whose license has been  
revoked, or whose license is under suspension, or who has failed to renew a license  
22 while it was under suspension, and while acting as a member, officer, director, or  
associate had knowledge of or participated in any of the prohibited acts for which the  
23 license was denied, suspended, or revoked, shall be prohibited from serving as an  
officer, director, associate, partner, or qualifying individual of a licensee, and the  
24 employment, election, or association of this type of person by a licensee in any  
capacity other than as a nonsupervising bona fide employee shall constitute grounds  
25 for disciplinary action.

26 12. Code section 7121.5 states:

27 Any person who was the qualifying individual on a revoked license, or of  
28 a license under suspension, or of a license that was not renewed while it was under  
suspension, shall be prohibited from serving as an officer, director, associate, partner,



or qualifying individual of a licensee, whether or not the individual had knowledge of or participated in the prohibited acts or omissions for which the license was revoked, or suspended, and the employment, election, or association of such person by a licensee shall constitute grounds for disciplinary action.

13. Code section 7122.5 states:

The performance of any individual, partnership, corporation, firm, or association of any act or omission constituting a cause for disciplinary action, likewise constitutes a cause for disciplinary action against any licensee other than the individual qualifying on behalf of the individual or entity, if the licensee was a member, officer, director, or associate of such individual, partnership, corporation, firm, or association at the time such act or omission occurred, and had knowledge of or participated in such prohibited act or omission.

### **STATUTORY PROVISIONS**

14. Code section 7026.2, subdivision (a) states:

For purposes of this chapter, "contractor" includes any person engaged in the business of the construction, installation, alteration, repair, or preparation for moving of a mobile home or mobile home accessory buildings and structures upon a site for the purpose of occupancy as a dwelling.

15. Code section 7154 states:

A home improvement contractor who employs a person to sell home improvement contracts while such person is not registered by the registrar as a home improvement salesman as provided in this article [Article 10 (commencing with section 7150) of the Contractors' State License Law], is subject to disciplinary action by the registrar.

16. Code section 7159 states, in pertinent part:

(a)(5) Failure by the licensee, his or her agent or salesperson, or by a person subject to be licensed under this chapter, to provide the specified information, notices, and disclosure in the contract, or to otherwise fail to comply with any provision of this section, is cause for discipline.

(d) A home improvement contract and any changes to the contract shall be in writing and signed by the parties to the contract prior to the commencement of any work covered by the contract or applicable change order and, except as provided in paragraph (8) of subdivision (a) of Section 7159.5, shall include or comply with all of the following:

(7) The heading: "Description of the Project and Description of the Significant Materials to be Used and Equipment to be Installed," followed by a description of the project and a description of the significant materials to be used and equipment to be installed. For swimming pools, the project description required under this paragraph also shall include a plan and scale drawing showing the shape, size, dimensions, and the construction and equipment specifications.

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1 17. Section 7159.5 of the Code states, in pertinent part:

2 This section applies to all home improvement contracts, as defined in  
3 Section 7151.2, between an owner or tenant and a contractor, whether a general  
4 contractor or a specialty contractor, who is licensed or subject to be licensed pursuant  
5 to this chapter with regard to the transaction.

6 (a) Failure by the licensee or a person subject to be licensed under this  
7 chapter, or by his or her agent or salesperson to comply with the following provisions  
8 is cause for discipline:

9 (1) The contract shall be in writing and shall include the agreed contract  
10 amount in dollars and cents. The contract amount shall include the entire cost of the  
11 contract, including profit, labor, and materials, but excluding finance charges.

12 18. Code section 7161, states, in pertinent part:

13 It is a misdemeanor for any person to engage in any of the following acts,  
14 the commission of which shall be cause for disciplinary action against any licensee or  
15 applicant:

16 (b) Making any substantial misrepresentation in the procurement of a  
17 contract for a home improvement or other work of improvement or making any false  
18 promise of a character likely to influence, persuade or, induce any person to enter into  
19 a contract.

### 20 COST RECOVERY

21 19. Code section 125.3 provides, in pertinent part, that the Registrar may request the  
22 administrative law judge to direct a licensee found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case.

### 25 BACKGROUND

26 20. Respondent C G G J is a licensed contractor and in that capacity drafted, prepared and  
27 entered into contracts with homeowners to perform fire restoration work on six (6) projects set  
28 forth below. Respondent contacted and solicited each of the homeowners within approximately  
forty-eight (48) hours of the fire to sign preprinted contracts prepared by Respondent. In each of  
the projects described infra, the homeowners signed the contracts prepared and offered by  
Respondent within approximately 48 hours or less of the fires. Respondent C G G J provided  
each homeowner with a copy of the signed contract that included a provision for the  
homeowner's 3-day right to cancel, along with the homeowner's rights under that provision.



Respondent's contracts were incomplete when signed. The contracts did not include any description of the scope of work, materials to be used, or contract price for the cost of the work and materials at the time each homeowner signed Respondent's contracts.

Each contract prepared by Respondent and signed by the homeowner included an assignment of a power of attorney to Respondent conferring the sole right to represent the homeowners in direct settlement negotiations with the homeowner's insurance company for the fire loss, required checks from the insurer to be issued in the name of the homeowner and respondent, and conferred authority to Respondent to endorse and deposit checks issued by the insurance companies for the benefit of the insured homeowners. Respondent's actions included representing the homeowners in adjustment of and settlement of the homeowners' loss with the insurance company, including personal property. Respondent was not a licensed by the California Department of Insurance to act as private insurance adjusters. Negotiating resolution of a fire loss for the structure and contents with an insurance company on behalf of the insured homeowner and accepting and depositing checks from the homeowner's insurer is not authorized by Respondent C G G J's contractor's license.

21. The preprinted form contracts prepared by Respondent included a cancellation clause that became effective immediately upon the expiration of the three (3) day cancellation period. The cancellation clause required the homeowner to pay Respondent C G G J forty percent 40% (20% of the cost of repairs + 10% overhead + 10% profit) of the total insurance settlement including payment for contents. The cancellation clause applied regardless of when cancellation was requested, the reason for cancellation, whether any estimate for repairs had been completed or any work had been performed by Respondents.

### **COLE PROJECT**

22. Paragraphs 20 and 21 are incorporated herein as though set forth at length. On or about January 19, 2006, Respondent C G G J prepared and entered into a written fire restoration contract with Norman Cole ("Cole Project"). The contract stated, in part, Respondent would provide all labor and materials necessary to perform fire restoration work at Cole property located at 9528 Rail Road Street, Knights Landing, California. When Cole signed the contract prepared

1 by Respondent C G G J it did not include a description of the scope work, materials to be used, or  
2 the price for the services and materials.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Substantial Misrepresentation)**

5 23. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
6 Respondent C G G J is subject to discipline pursuant to Code section 7161; in that Respondent  
7 procured the Cole home improvement contract through substantial misrepresentation.  
8 Respondent represented verbally or in writing or both to Cole that Respondent possessed all  
9 legally required authority to negotiate and represent Cole in connection with Cole's insurance  
10 claim for fire related damage and loss, including but not limited damage to the Cole residence  
11 and/or the contents. The true fact is that negotiation with an insurance company and  
12 representation in adjusting fire related damage to the homeowner's residence and contents is not  
13 authorized by Respondent C G G J's contractor's license. Negotiating and adjusting the loss of a  
14 homeowner requires a license from the California Department of Insurance. Respondent failed to  
15 inform Cole the contractor's license did not authorize Respondent to engage in this conduct and  
16 constitutes substantial misrepresentation.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Contract Violation)**

19 24. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
20 Respondent C G G J is subject to discipline pursuant to Code section 7159, subdivision (a)(5), in  
21 that the Cole Project contract did not include a description of the of the project, description of  
22 significant materials to be used and equipment to be installed. Failure to include these items  
23 violates subdivision (d)(7).

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Contract Violation)**

26 25. Paragraphs 20 and 21 and incorporated herein as though set forth at length.  
27 Respondent C G G J is subject to discipline pursuant to Code section 7159.5(a)(1) in that  
28



1 Respondent prepared and thereafter entered a home improvement contract with Cole that did not  
2 include the entire contract amount in dollars and cents, including profit, labor, and materials.

### 3 **DAVIDSON PROJECT**

4 26. Paragraphs 20 and 21 and incorporated herein as though set forth at length. On or  
5 about May 23, 2006, Respondent C G G J prepared and entered into a written home improvement  
6 contract with Candy Davison ("Davidson Project"). The contract stated, in part, Respondent  
7 would provide all labor and materials necessary to perform fire restoration work at her residence  
8 located at 9150 Trujillo Way, Sacramento, California. The contract failed to include a description  
9 of the work to be done, significant materials to be used, or contract price for profit, labor and  
10 materials.

### 11 **FOURTH CAUSE FOR DISCIPLINE**

#### 12 **(Substantial Misrepresentation)**

13 27. Paragraph 20 and 21 are incorporated herein as though set forth at length.  
14 Respondent C G G J is subject to discipline pursuant to Code section 7161(b)(5), in that  
15 Respondent procured the Davidson home improvement contract through substantial  
16 misrepresentation. Respondent represented verbally or in writing or both that Respondent  
17 possessed the legal authority required to negotiate for and represent Davidson in connection with  
18 Davidson's insurance claim for all fire related damage to Davidson's residence and/or the  
19 contents. The true fact is negotiating with an insurance company and representing a homeowner  
20 in adjusting a loss caused by fire is not authorized by Respondent C G G J's contractor's license.  
21 Negotiation and adjusting the loss of a homeowner requires licensing by the Department of  
22 Insurance. Respondent's conduct constitutes misrepresentation within the meaning of section  
23 7161(b)(5).

### 24 **FIFTH CAUSE FOR DISCIPLINE**

#### 25 **(Contract Violation)**

26 28. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
27 Respondent C G G J is subject to discipline pursuant to Code section 7159, subdivision (a)(5), in  
28 that the Davidson Project contract did not include a description of the scope of the project, a

1 description of the significant materials to be used and equipment to be installed. Respondent's  
2 contract violates subdivision (d)(7) of the Code.

### 3 **SIXTH CAUSE FOR DISCIPLINE**

#### 4 **(Contract Violation)**

5 29. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
6 Respondent C G G J is subject to discipline pursuant to Code section 7159.5, in that Respondent  
7 violated subdivision (a)(1) of the Code by preparing and thereafter entering a home improvement  
8 contract with Davidson that did not include the entire contract amount in dollars and cents,  
9 including profit, labor, and materials.

### 10 **CRITTENDEN PROJECT**

11 30. Paragraphs 20 and 21 and incorporated herein as though set forth at length. On or  
12 about September 29, 2006, Respondent C G G J prepared and entered into a written home  
13 improvement contract with James Crittenden ("Crittenden Project"). Respondent's contract  
14 stated, in part, Respondent would provide all labor and materials necessary for fire restoration of  
15 Crittenden's residence located at 6103 34th Street, North Highlands, California. The Crittenden  
16 contract did not include a description of the scope of work for the project, materials to be used, or  
17 a contract price.

### 18 **SEVENTH CAUSE FOR DISCIPLINE**

#### 19 **(Substantial Misrepresentation)**

20 31. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
21 Respondent C G G J is subject to discipline pursuant to Code section 7161, in that Respondent  
22 procured the Crittenden home improvement contract through substantial misrepresentation.  
23 Respondent represented verbally or in writing or both that Respondent possessed the legal  
24 authority required to represent and otherwise negotiate with the insurance company on behalf of  
25 Crittenden for the fire related damage and loss to his residence including the contents. The true  
26 fact is negotiating with an insurance company and representing a homeowner in adjusting a loss  
27 caused by fire is not authorized by Respondent C G G J's contractor's license. Negotiation and  
28



1 adjusting the loss of a homeowner requires licensing by the Department of Insurance.

2 Respondent's conduct constitutes misrepresentation within the meaning of section 7161(b)(5).

3 **EIGHTH CAUSE FOR DISCIPLINE**

4 **(Contract Violation)**

5 32. Paragraphs 20 and 21 are incorporated herein as thought set forth at length.

6 Respondent C G G J is subject to discipline pursuant to Code section 7159, subdivision (a)(5), in  
7 that the Crittenden Project contract prepared by Respondent did not include a description of the  
8 scope of the project, a description of the significant materials to be used and equipment to be  
9 installed. The Crittenden contract violates subdivision (d)(7) of the Code.

10 **NINTH CAUSE FOR DISCIPLINE**

11 **(Contract Violation)**

12 33. Paragraphs 20 and 21 are incorporated herein as though set forth at length.

13 Respondent C G G J is subject to discipline pursuant to Code section 7159.5, subdivision (a)(1)  
14 by preparing and thereafter entering a home improvement contract with Crittenden that did not  
15 include the entire contract amount in dollars and cents, including profit, labor, and materials.

16 **NGUYEN PROJECT**

17 34. Paragraphs 20 and 21 are incorporated herein as though set forth at length. On or  
18 about July 2, 2007, Respondent C G G J prepared and entered into a written home improvement  
19 contract with Tam Nguyen ("Nguyen Project"). The contract stated, in part, Respondent would  
20 provide all labor and materials necessary for fire restoration at the Nguyen residence located at  
21 5861 Valley Glen Way, Elk Grove, California. The Nguyen contract did not include a description  
22 of the work to be done, materials to be used, or a contract price.

23 **TENTH CAUSE FOR DISCIPLINE**

24 **(Substantial Misrepresentation)**

25 35. Paragraphs 20 and 21 are incorporated herein as though set forth at length.

26 Respondent C G G J is subject to discipline pursuant to Code section 7161, in that Respondent  
27 procured the Nguyen home improvement contract through substantial misrepresentation.  
28 Respondent represented verbally or in writing or both that Respondent possessed all necessary

1 legal authority required to represent and otherwise negotiate with the insurance company on  
2 behalf of Nguyen for the fire related damage and loss to Nguyen's residence including contents.  
3 The true fact is negotiating with an insurance company and representing a homeowner in  
4 adjusting a loss to a residence and contents caused by fire is not authorized by Respondent C G G  
5 J's contractor's license. Negotiation and adjusting the loss of a homeowner requires licensing by  
6 the Department of Insurance. Respondent's conduct constitutes misrepresentation within the  
7 meaning of section 7161(b)(5).

#### 8 **ELEVENTH CAUSE FOR DISCIPLINE**

##### 9 **(Unregistered Salesperson)**

10 36. Respondent C G G J is subject to discipline pursuant to Code section 7154 by  
11 employing and permitting Jorge Pina, an unregistered home improvement salesperson, to solicit  
12 Nguyen for residential fire restoration services and to prepare a contract and obtain Nguyen  
13 signature on Respondent's contract.

#### 14 **TWELFTH CAUSE FOR DISCIPLINE**

##### 15 **(Contract Violation)**

16 37. Respondent C G G J is subject to discipline pursuant to Code section 7159,  
17 subdivision (a)(5) in that the Nguyen Project contract prepared by Respondent did not include a  
18 description of the scope of the project, a description of the significant materials to be used and  
19 equipment to be installed. The Nguyen contract violates subdivision (d)(7) of the Code

#### 20 **THIRTEENTH CAUSE FOR DISCIPLINE**

##### 21 **(Contract Violation)**

22 38. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
23 Respondent C G G J is subject to discipline pursuant to Code section 7159.5, subdivision (a)(1)  
24 by preparing and thereafter entering a home improvement contract with Nguyen that did not  
25 include the entire contract amount in dollars and cents, including profit, labor, and materials.

#### 26 **CARDIN/LOPEZ PROJECT**

27 39. Paragraphs 20 and 21 are incorporated herein as though set forth at length. On or  
28 about May 25, 2008, Respondent C G G J prepared and entered into a written home improvement



1 contract with Betty Cardin/Lopez ("Cardin/Lopez Project"). Respondent's contract stated  
2 Respondent would provide all labor and materials necessary for fire restoration of Cardin/Lopez  
3 residence located at 4505 Country Run Way, Antelope, California . The Cardin/Lopez contract  
4 failed to include a description of the scope of work for the project, materials to be used, or a  
5 contract price.

6 **FOURTEENTH CAUSE FOR DISCIPLINE**

7 **(Substantial Misrepresentation)**

8 40. Respondent C G G J is subject to discipline pursuant to Code section 7161, in that  
9 Respondent procured the Cardin/Lopez home improvement contract through substantial  
10 misrepresentation. Respondent represented verbally or in writing or both that Respondent  
11 possessed all necessary legal authority required to represent and otherwise negotiate with the  
12 insurance company on behalf of Cardin/Lopez for the fire related damage and loss to the  
13 Cardin/Lopez residence including contents. The true fact is negotiating with an insurance  
14 company and representing a homeowner in adjusting a loss caused by fire is not authorized by  
15 Respondent C G G J's contractor's license. Negotiation and adjusting the loss of a homeowner  
16 requires licensing by the Department of Insurance. Respondent's conduct constitutes  
17 misrepresentation within the meaning of section 7161(b)(5).

18 **FIFTEENTH CAUSE FOR DISCIPLINE**

19 **(Unregistered Salesperson)**

20 41. Respondent C G G J is subject to discipline pursuant to Code section 7154, by  
21 employing and permitting Jorge Pina, an unregistered home improvement salesperson, to solicit  
22 Cardin/Lopez to purchase residential fire restoration services and to prepare a contract and obtain  
23 Nguyen signature on Respondent's contract.

24 **SIXTEENTH CAUSE FOR DISCIPLINE**

25 **(Contract Violation)**

26 42. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
27 Respondent C G G J is subject to discipline pursuant to Code section 7159, subdivision (a)(5), in  
28 that the Cardin/Lopez Project contract prepared by Respondent did not include a description of

1 the scope of the project, a description of the significant materials to be used and equipment to be  
2 installed. The Cardin/Lopez contract violates subdivision (d)(7) of the Code.

### 3 **SEVENTEENTH CAUSE FOR DISCIPLINE**

#### 4 **(Contract Violation)**

5 43. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
6 Respondent C G G J is subject to discipline pursuant to Code section 7159.5, in that Respondent  
7 violated subdivision (a)(1) of the Code by preparing and thereafter entering a home improvement  
8 contract with Cardin/Lopez that did not include the entire contract amount in dollars and cents,  
9 including profit, labor, and materials.

### 10 **SANDOVAL PROJECT**

11 44. Paragraphs 20 and 21 are incorporated herein as though set forth at length. On or  
12 about February May 25, 2008, prepared and entered into a written home improvement contract  
13 with Maria Sandoval ("Sandoval Project"). Respondent's contract stated, in part, Respondent  
14 would provide all labor and materials necessary for fire restoration of the Sandoval residence  
15 located at 749 Ashboro Lane, Galt, California. The Sandoval contract failed to include a  
16 description of the scope of work for the project, materials to be used, or a contract price.

### 17 **EIGHTEENTH CAUSE FOR DISCIPLINE**

#### 18 **(Substantial Misrepresentation)**

19 45. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
20 Respondent C G G J is subject to discipline pursuant to Code section 7161, in that Respondent  
21 procured the Sandoval home improvement contract through substantial misrepresentation.  
22 Respondent represented verbally or in writing or both that Respondent possessed all necessary  
23 legal authority required to represent and otherwise negotiate with the insurance company on  
24 behalf of Sandoval for the fire related damage and loss to the Sandoval residence including  
25 contents. The true fact is negotiating with an insurance company and representing a homeowner  
26 in adjusting a loss caused by fire is not authorized by Respondent C G G J's contractor's license.  
27 Negotiation and adjusting the loss of a homeowner requires licensing by the Department of  
28



1 Insurance. Respondent's conduct constitutes misrepresentation within the meaning of section  
2 7161(b)(5).

3 **NINETEENTH CAUSE FOR DISCIPLINE**

4 **(Unregistered Salesperson)**

5 46. Paragraphs 20 and 21 are incorporated herein as though set forth at length.  
6 Respondent C G G J is subject to discipline pursuant to Code section 7154, by employing and  
7 permitting Jorge Pina, an unregistered home improvement salesperson, to solicit Sandoval to  
8 purchase residential fire restoration services and to prepare a contract and obtain Sandoval's  
9 signature on Respondent's contract.

10 **TWENTIETH CAUSE FOR DISCIPLINE**

11 **(Contract Violation)**

12 47. Respondent C G G J is subject to discipline pursuant to Code section 7159,  
13 subdivision (a)(5), in that the Sandoval Project contract prepared by Respondent did not include  
14 a description of the scope of the project, a description of the significant materials to be used and  
15 equipment to be installed. The Sandoval contract violates subdivision (d)(7) of the Code.

16 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

17 **(Contract Violation)**

18 48. Respondent C G G J is subject to discipline pursuant to Code section 7159.5,  
19 subdivision (a)(1) by preparing and thereafter entering a home improvement contract with  
20 Sandoval that did not include the entire contract amount in dollars and cents, including profit,  
21 labor, and materials.

22 **OTHER MATTERS**

23 49. Pursuant to Business and Professions Code sections 7097 and 7098, if Contractor's  
24 License Number 835408, issued to C G G J, Inc., doing business as Certified Fire Reconstruction,  
25 is suspended or revoked by a decision of the Registrar, any additional license issued under the  
26 name of Gregory Lee Zuccolotto (who served as the Responsible Managing Officer of  
27 Respondent C G G J), or for which he furnished the qualifying experience and appearance,  
28 including but not limited to Contractor's License Number 506238, issued to Gregory Lee

1 Zuccolotto as owner of Certified Restoration Services, and Contractor's License Number 723266  
2 issued to JUGR, Inc., dba Certified Restoration Services may be suspended or revoked by the  
3 Registrar without further notice.

4 50. Pursuant to Code section 7121.5, if discipline is imposed on Contractor's License  
5 Number 835408, issued to Respondent C G G J, then Gregory Lee Zuccolotto shall be prohibited  
6 from serving as an officer, director, associate, partner or qualifying individual of any licensee  
7 during the time the discipline is imposed, whether or not he had knowledge or participated in the  
8 acts or omissions constituting grounds for discipline, and any licensee which employs, elects, or  
9 associates him shall be subject to disciplinary action.

10 51. Pursuant to Code section 7122.5, the causes for discipline established as to  
11 Contractor's License No. 835408 likewise constitutes cause for discipline against Contractor's  
12 License No. 506238, issued to Gregory Lee Zuccolotto as owner of Certified Restoration  
13 Services, regardless of whether he had knowledge of or participated in the acts or omissions  
14 which constitute cause for discipline against Respondent C G G J.

15 52. Christopher Arnold Acker while serving as an officer of Respondent C G G J had  
16 knowledge of or participated in the acts or omissions constituting cause for discipline of  
17 Respondent C G G J.

18 53. Pursuant to Code section 7121, if discipline is imposed on Contractor's License  
19 Number 835408, issued to Respondent C G G J, then Christopher Arnold Acker, shall be  
20 prohibited from serving as an officer, director, associate, partner, or qualifying individual of any  
21 licensee during the time the discipline is imposed, and any licensee which employs, elects, or  
22 associates him in any capacity other than as a non-supervising bona fide employee shall be  
23 subject to disciplinary action.

#### 24 PRAYER

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
26 and that following the hearing, the Registrar of Contractors issue a decision:

27 1. Revoking or suspending Contractor's License Number 835408, issued to C G G J,  
28 Inc., dba Certified Fire Reconstruction;



2. Revoking or suspending Contractor's License Number 506238, issued to Gregory Lee Zuccolotto as owner of Certified Restoration Services;

3. Prohibiting Gregory Lee Zuccolotto and Christopher Arnold Acker from serving as officers, directors, associates, partners, or qualifying individuals of any licensee during the period that discipline is imposed on Contractor's License Number 835408, issued to C G G J, Inc., dba Certified Fire Reconstruction;

4. Revoking or suspending any other license for which Gregory Lee Zuccolotto or Christopher Arnold Acker is furnishing the qualifying experience or appearance;


5. Ordering C G G J, Inc., dba Certified Fire Reconstruction to pay the Registrar of Contractors his costs in the investigation and enforcement of the case according to proof at the hearing, pursuant to Business and Professions Code section 125.3;

6. Ordering C G G J, Inc., dba Certified Fire Reconstruction to provide the Registrar with a listing of all contracting projects in progress and the anticipated completion date of each; and,

7. Taking such other and further action as deemed necessary and proper.

DATED:

January 18, 2011

for 

WOOD ROBINSON  
Enforcement Supervisor I  
Contractors' State License Board  
Department of Consumer Affairs  
State of California  
Complainant

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